

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARIA A. BADOLATO,

Plaintiff,

-against-

TJX COMPANIES, INC. et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: **07/16/2025**

25-CV-4263 (NSR)

SUPPLEMENTAL ORDER OF
SERVICE

NELSON S. ROMÁN, United States District Judge:

Plaintiff, who is proceeding *pro se*, brings this action under the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12112-12117; the Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634 and the New York State Human Rights Law, N.Y. Exec. Law §§ 290 to 297, alleging that her employer discriminated against her based on her disability and age. By order dated May 22, 2025, the Court granted Plaintiff's request to proceed in forma pauperis ("IFP"), that is, without prepayment of fees. On June 10, 2025 Plaintiff filed the attached letter (ECF No. 12) noting errors in names or addresses of certain Defendants in the Order of Service and Summons.

DISCUSSION

Because Plaintiff has been granted permission to proceed IFP, she is entitled to rely on the Court and the U.S. Marshals Service to effect service. *Walker v. Schult*, 717 F.3d 119, 123 n.6 (2d Cir. 2013); see also 28 U.S.C. § 1915(d) ("The officers of the court shall issue and serve all process . . . in [IFP] cases."); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP)).

To allow Plaintiff to effect service on Defendants through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form

(“USM-285 form”) for Defendants, noting the updated names and addresses. The Clerk of Court is further instructed to issue summonses and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon Defendants. If the complaint and appendix are not served within 90 days after the date summonses are issued, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff’s responsibility to request an extension). Plaintiff must notify the Court in writing if her address changes, and the Court may dismiss the action if Plaintiff fails to do so.

CONCLUSION

The Clerk of Court is instructed to re-issue summonses for Defendants TJX Companies, doing business as Home Goods; Nelson Haber; Brittany Maracle; Kyla Novinger; Edward Knowles; and Deanna Sanita, complete the USM-285 form with the address for each Defendant, and deliver all documents, including the complaint and appendix (ECF 1, 4), necessary to effect service to the U.S. Marshals Service.

SO ORDERED.

Dated: July 16, 2025
White Plains, New York



NELSON S. ROMÁN
United States District Judge

DEFENDANTS AND SERVICE ADDRESSES

1. TJX Companies, doing business as Home Goods
3061 East Main Street
Mohegan Lake, New York 10562
2. Nelson Haber
3061 East Main Street
Mohegan Lake, New York 10562
3. Brittany Maracle
3061 East Main Street
Mohegan Lake, New York 10562
4. Kyla Novinger
c/o TJX Companies, Inc.
300 Value Way
Marlborough, MA 01752
5. Edward Knowles
3061 East Main Street
Mohegan Lake, New York 10562
6. Deanna Sanita
3061 East Main Street
Mohegan Lake, New York 10562

June 10, 2025

Docket: 25cv4263

Badolato V. TJX

Re: Name spelling correction for 2 Defendants /Address correction for one Defendant

US District Judge Nelson S. Roman

Dear Judge,

Please be advised that as per my filing of Employment Discrimination Complaint – the following documents have typos of (2) Defendants names:

Order of Service and the Summons in a Civil Action.

Please find the correct spelling below:

1. Deanna Sanita
2. Edward Knowles

In addition, regarding the same documents referred to above; there is a typo in the address of one of the Defendants:

Kyla Novinger – as per the address provided on pg. 3 of my Employment Discrimination Complaint –should be served at the following address: TJX Companies, Inc, 300 Value Way, Marlborough, MA 01752.

Regards,

Maria A. Badolato

